

Notice of Allowability

Application No.

09/989,547

Applicant(s)

NANBU ET AL.

Examiner

Steven B. McAllister

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's arguments of 10/11/2005 and Examiner's amendment of 12/27/2005.
2. ☒ The allowed claim(s) is/are 1,4-13,16-25 and 27.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian S. Myers on 12/14/2005.

The application has been amended as follows:

IN THE CLAIMS:

In claim 1, line 8, "of which" was replaced with --said--.

In claim 1, line 8, "notifications" was replaced with --pieces of information--.

In claim 1, line 10, --and derived from-- was inserted before "both".

In claim 1, line 10, "of" at the end of the line was deleted.

In claim 1, line 11, "every orderer and every" was replaced with --the orderer and the--.

In claim 1, line 16, "every orderer and to every" was replaced with --and derived from the orderer and the--.

In claim 13, line 8, "of which" was replaced with --said--.

In claim 13, line 8, "notifications" was replaced with --pieces of information--.

In claim 13, line 10, --and derived from-- was inserted before "both".

Art Unit: 3627

In claim 13, line 10, "of every" was replaced with --the--.

In claim 13, line 11, "every" was replaced with --the--.

In claim 13, line 16, "every orderer and to every" was replaced with --and derived from the orderer and the--.

In claim 25, line 10, "of which" was replaced with --said--.

In claim 25, line 10, "notifications" was replaced with --pieces of information--.

In claim 25, line 12, --and derived from-- was inserted before "both".

In claim 25, line 12, "of every" was replaced with --the--.

In claim 25, line 13, "every" was replaced with --the--.

In claim 25, line 18, "every orderer and to every" was replaced with --and derived from the orderer and the--.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The best art found by examiner in the case was Buettgenbach et al (2002/0032613) and Walker et al 6,754,636. '613 shows generally the method of purchasing an item via the internet, designating a location to pick the item up and presenting identification information at the location in order to pick it up. Walker shows unique identification information associated with an order, and shows the use of a one way function. Neither reference separately or in combination shows a identification information associated with a transaction that is "unique to and derived from the orderer and the target article [the

Art Unit: 3627

purchased item] on the basis of the order information”, where the identification information is further generated by a one-way function “on the basis of the order information received from the virtual shop” and contains “numerals of specified digits of a telephone number corresponding to the communication terminal used by the orderer”. Further, the examiner was unable to find any other reference or combination of references which could be reasonably combined to show the missing elements.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. McAllister whose telephone number is (571) 272-6785. The examiner can normally be reached on M-Th 8-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Alexander G. Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven B. McAllister

Steven B. McAllister
Primary Examiner
Art Unit 3627

STEVE B. MCALLISTER
PRIMARY EXAMINER